

Hardship Protocol

3.9

History:

Assistance from the Family Investment Program (FIP) is limited to a total of 60 months. December 31, 2001 is the first date that some families will reach their lifetime limit of receiving FIP. Families that are close to having or that have exhausted their 60-month period of eligibility may request to receive FIP beyond 60 months if they are determined eligible for a “hardship exemption.” A hardship exemption lasts up to six consecutive months. Families can get more than one hardship exemption if they work on overcoming the hardship and follow all the FIP rules. No family may be approved to receive FIP beyond 60-months until they have received FIP for 60-months. The family is responsible for identifying a hardship reason and providing any supporting evidence. Additional assessment or interviewing for purposes of identifying hardship barriers will not be required as a course of the normal application process, however the Income Maintenance Worker is not precluded from taking this action if individual circumstances warrant such action. An initial face-to-face meeting with IM will not be required unless already necessary in the regular course of business for applying for FIP or if required with a review. All requests for hardship must be processed within 30 days, unless good cause for delay exists.

A hardship exemption will not be finalized and FIP beyond 60-months approved without a signed FIA, families must meet all other financial and non-financial FIP eligibility criteria to be granted a hardship exemption.

Hardship definition: A condition that prevents the family from being self-supporting but that the family’s safety takes precedence over the goal of self-sufficiency.”

Families may get a hardship exemption for the following reasons:

- Domestic Violence
- Not enough skills to get or keep a job
- Quality child care not available
- Physical or mental health problems, disability, or accident
- Housing situation makes it difficult or impossible to work
- Substance abuse problems
- A child has special problems and the parent needs to be at home to give care or supervision
- Other hardship reasons not listed here that keep the family from being self-supporting

Administrative Rules:

For more information please refer to the web site:

[http://www.dhs.state.ia.us/policyanalysis/PolicyManualPages/Manual_Documents/Rules/441-41.30\(3\).pdf](http://www.dhs.state.ia.us/policyanalysis/PolicyManualPages/Manual_Documents/Rules/441-41.30(3).pdf)

Hardship Process

- A family can request a hardship exemption at any time but the 30-day time frame for processing the request does not begin until day one of month 59 for requests submitted before month 59.

- Income Maintenance sends a letter informing the family of pending end of 60-months of FIP and a Hardship Request Form. IM also sends a Notice of Decision (NOD) to cancel FIP for the end of the 60-month period.
- Family completes Hardship Request Form stating their barrier and supplies supporting evidence of the hardship. The timetable for processing the application is 30 days if the family provides supporting documentation/evidence in conjunction with their completed Hardship Request Form.
- The family has 10 days to provide supporting documentation if they did not do so at the time of the application for Hardship.
- Income Maintenance will check to see if the family has an open DHS Service case. If so, IM will request relevant information from the Service worker.
- Coordination between IM, Services and PROMISE JOBS occurs to ensure that the 6-month FIA will not conflict with the Service case plan.
- FaDSS will continue to coordinate with PROMISE JOBS when the family is a FaDSS participant as is the current policy.
- Income Maintenance will take action on the Hardship Request. They will either conditionally approve the Request if the family has a hardship condition and meets non-financial FIP criteria or they will deny the Request if a hardship is determined not to exist or the family does not meet non-financial FIP criteria. (Final approval can only occur after there is a signed FIA and the family is determined to meet all non-financial and financial eligibility criteria.)
- Family will receive a Notice of Decision (NOD) if the Request is denied if the family does not have a hardship or does not meet nonfinancial FIP eligibility criteria.
- If the family has a hardship and meets non-financial FIP eligibility criteria, Income Maintenance will send the Hardship Request, Hardship Determination form and any other information received to the local PROMISE JOBS office if the Request is conditionally approved. The Hardship Exemption Determination also serves as the referral to PROMISE JOBS. Any family that is conditionally approved for Hardship is a mandatory participant for PROMISE JOBS. There is not an exempt status in Hardship.
- PROMISE JOBS will send an appointment letter to the family within 24 hours of receiving a Hardship Exemption Determination form IM to develop and sign an FIA. This appointment will be scheduled at the earliest possible date, giving at least five working days before the appointment. Copies of the appointment will also be sent to the IM worker and to the FaDSS worker if the family is enrolled in the FaDSS program.
- The family may be granted good cause for failing to attend a scheduled meeting for reasons beyond the person's control, such as illness, family emergencies, etc. Failure by the required adults to attend the meeting without good cause results in denial of the family's hardship exemption request.
- Family attends appointment with PROMISE JOBS and completes and signs an FIA. The FaDSS worker is encouraged to participate when the family is enrolled in the FaDSS program, as is current policy.
- PROMISE JOBS provides IM, FaDSS (if FaDSS is involved), the service worker (if services is involved) and the DEA Administrator a copy of the signed FIA.
- IM makes the final decision of the exemption and provides a copy of determination form with the final approval or denial to PROMISE JOBS and the DEA Division Administrator. IM also provides a copy of the determination form with the final approval or denial to the service worker, if DHS Services are involved with the family. FaDSS will also receive a copy of the determination form and FIA and participate in the FIA negotiation. All the same guidelines pertaining to the FaDSS and PROMISE JOBS working relationship still apply.

- Income Maintenance enters the final FIP Hardship Exemption approval or denial codes onto the system and issues the Notice of Decision (NOD) to the family.

FaDSS Information Outline

See pages 4.31 for a copy of the form

See pages 4.32 for the instructions

This form is used to transmit known information to the Income Maintenance Worker at DHS upon request from the family that has requested a hardship waiver that is currently enrolled in the FaDSS program.

The FaDSS Specialist assigned to work with the family may be asked by the family to complete the FaDSS Information Outline and submit one copy to the IM worker at the local DHS office and file one copy in the family's FaDSS case file.

Prior to completion the FaDSS Specialist should ensure that the family has completed a Release of Information form between DHS (Income Maintenance), PROMISE JOBS and the FaDSS program. A best practice would be to have the family sign a ROI that specifies that the information is being exchanged for the purpose of applying for the Hardship exemption. The ROI should also contain specific language granting the release of mental health, substance abuse or child abuse information if that information potentially would be shared in the completion of this form. It is possible that the ROI will be generated from IM. Please do not ask the family to complete an additional release if you have received a ROI from DHS regarding the family's Hardship Request.

In the absence of the FaDSS Specialist their immediate Supervisor will complete this form. The form should be completed utilizing information garnered through the Specialists work with the family and documented in the family file. The Specialist may review the form with the family to gather additional data and/or to inform the family of the content of the form.

NOTE: Do not provide information about Substance Abuse, Mental Health, or Child Abuse unless the family has given specific authorization to release this information. Carefully check the release form for the type of information that can be released.